

1AP7 Rec'd PGI/PTO 20 MAR 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Application No. : 10/539,764
Applicants : DADD, ET AL.
Filed : JUNE 20, 2005
Title : METHOD AND APPARATUS FOR SEALING A LUMEN IN AN
ELECTRODE ASSEMBLY

Art Unit : TO BE ASSIGNED
Examiner : TO BE ASSIGNED

Atty Docket No. : COCH-0156-US1

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The below-identified communication(s) is (are) submitted in the above-captioned application or proceeding:

- ☒ Response to Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages)
- ☒ Declaration for Patent Application and Appointment of Attorney (4 sheets)
- ☒ Copy of Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (2 pages)
- ☒ Certified Copy of 2002953468
- ☒ Certified Copy of 2002953469
- ☒ Certified Copy of 2002953471
- ☒ Certified Copy of 2003953473
- ☒ Patent Fee Transmittal for FY 2006 (1 page w/dup.)
- ☒ Credit Card Payment Form. (1 page)

Respectfully submitted,

/Michael G. Verga/

Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
Fairfax, Virginia 22030
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March 20, 2006

Patent Fee Transmittal for FY 2006

☐ Applicant(s) Claims Small Entity Status 37 C.F.R. 1.27

TOTAL AMOUNT OF PAYMENT \$330.00

Application No. 10/539,764
Filing Date 20-Jun-05
Named Inventor DADD, Fysh
Examiner Name To be assigned
Art Unit To be assigned
Attorney Docket No. COCH-0156-US1

FEE CALCULATION

1. Filing Fees

Application Type	Description	Code	Large Entity (\$)	Small Entity (\$)	Paid
Utility	Basic	1011	300	150	\$ -
	Examination	1311	200	100	\$ -
	Search	1111	500	250	\$ -
Design	Basic	1012	200	100	\$ -
	Examination	1312	130	65	\$ -
	Search	1112	100	50	\$ -
Plant	Basic	1013	200	100	\$ -
	Examination	1313	160	80	\$ -
	Search	1113	300	150	\$ -
Reissue	Basic	1014	300	150	\$ -
	Examination	1114	600	300	\$ -
	Search	1314	500	250	\$ -
Provisional	Basic	1005	200	100	\$ -
National Stage	Basic	1631	300	150	\$ -
	Examination	1633	200	100	\$ -
	Search	1632	500	250	\$ -

2. Extra Claim Fee

a. Claims as Filed

Total Claims	0	- 20 =	0	x	Extra Claims
Independent	0	- 3 =	0	x	

Multiple Dependent

b. Claims as Amended

	After Amnt	Highest Paid	Present Extra
Total Claims	0	0	0
Independent	4	3	1

First Presentation of Multiple Dependent

* Less than 20, enter 20 ** Less than 3, enter 3

3. Extra Page Fee

Total Pages	0	- 100	0	x	Extra Pages
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Subtotal for Application Fees

1	\$ -	2	\$ 200	3	\$ -	=	\$ 200
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4. Additional Fees

Description	Code	Large Entity (\$)	Small Entity (\$)	Paid
Extension for response first month	1251	120	2251	60 \$ -
Extension for response second month	1252	450	2252	225 \$ -
Extension for response third month	1253	1,020	2253	510 \$ -
Extension for response fourth month	1254	1,590	2254	795 \$ -
Extension for response fifth month	1255	2,160	2255	1,080 \$ -
Notice of Appeal	1401	500	2401	250 \$ -
Filing a Brief in Support of an Appeal	1402	500	2402	250 \$ -
Request for Oral hearing	1403	1,000	2403	500 \$ -
Petitions under 1.17(f)	1462	400	1462	400 \$ -
Petitions under 1.17(g)	1463	200	1463	200 \$ -
Petitions under 1.17(h)	1464	130	1464	130 \$ -
Petition - public use proceeding	1451	1,510	1451	1,510 \$ -
Petition to Revoke - Unavoidable	1452	500	2452	250 \$ -
Petition to Revoke - Unintentional	1453	1,500	2453	750 \$ -
Utility Issue Fee	1501	1,400	2501	700 \$ -
Design Issue Fee	1502	800	2502	400 \$ -
Plant Issue Fee	1503	1,100	2503	550 \$ -
Reissue Issue Fee	1511	1,400	2511	700 \$ -
Publication Fee	1504	300	1504	300 \$ -
Statutory Disclaimer	1814	130	2814	65 \$ -

(cont.)

Description (cont.)

Description (cont.)	Code	Large Entity (\$)	Small Entity (\$)	Paid
Recording each Assignment	8021	40	8021	40 \$ -
Submission of IDS	1806	180	1806	180 \$ -
Request for Cont. Examination (RCE)	1801	790	2801	395 \$ -
Filing Submission After Final	1809	790	2809	395 \$ -
Surcharge - late filing fee or oath	1051	130	2051	65 \$130.00
Surcharge - late provisional fee	1052	50	2052	25 \$ -
Non-English Specification	1053	130	1053	130 \$ -
Processing Fee 37 CFR 1.17(q)	1807	50	1807	50 \$ -
Request for Ex Parte Reexamination	1812	2,520	1812	2,520 \$ -
Request Pub. of SIR prior to action	1804	920	1804	920 \$ -
Request Pub. of SIR after action	1805	1,840	1805	1,840 \$ -
Each Add. Invention Examined	1810	790	2810	395 \$ -
Expedited Examination (Design)	1802	900	1802	900 \$ -
Unintentionally Delayed Priority Claim	1453	1,370	1453	1,370 \$ -
Certificate of Correction	1811	100	1811	100 \$ -
Maintenance Fees 3.5 years	1551	900	2551	450 \$ -
Maintenance Fees 7.5 years	1552	2,300	2552	1,150 \$ -
Maintenance Fees 11.5 years	1553	3,800	2553	1,900 \$ -
Surcharge - Late Payment 6 mos.	1554	130	2554	65 \$ -
Other fee				\$ -

Additional Fee Subtotal 4 \$ 130

METHOD OF PAYMENT (Check all that apply)

☒ Credit Card (Provide credit card information and authorization on PTO-2038)

☒ Deposit Account No.

10-0233-COCH-0156-US1

For the above-identified deposit account, the Director is hereby authorized to:

☐ To charge the above-identified fee.

☒ To charge any additional fees which may be required under 37 CFR 1.16, 1.17, 1.18, 1.20 and 1.492 or credit any overpayment to the deposit account number listed above.

Submitted by:

Name Michael G. Verga Reg. No. 39,410
Firm Jagtiani + Gutttag
Address 10363-A Democracy Lane, Fairfax VA 22030
Telephone 703.591.2664 Fax 703.591.5907

/Michael G. Verga/

Signature

March 20, 2006

Date

Revised 01-2006

03/23/2006 GFREY1 00000122 10539764

Include duplicate copy if paying by deposit account

01 FC:1614
02 FC:1617

200.00 OP
130.00 OP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/539,764
Applicants : DADD, ET AL.
Filed : JUNE 20, 2005
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35
U.S.C. 371 IN THE UNITED STATES DESIGNATED ELECTED (DO/EO/US)**

Sir:

This is in response to the Notification of Missing Requirements dated February 9, 2006,
the period for response to which is set to expire on April 9, 2006.

Submitted herewith is the executed Declaration in compliance with 37 CFR 1.497(a)
and (b) identifying the application by the International Application Number and
International Filing Date.

The Commissioner is hereby authorized to charge any additional fees which may be
required under 37 CFR §§ 1.16(e) or credit any overpayment to **Deposit Account No.
10-0233 COCH-0156-US1.**

Serial No. 10/539,764

Please direct any inquiries in connection with this application directly to the undersigned.

Respectfully submitted,

/Michael G. Verga/

Michael G. Verga
Registration Number 39,410

JAGTIANI + GUTTAG
Democracy Square Business Center
10363-A Democracy Lane
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(703) 591-2664

March 20, 2006

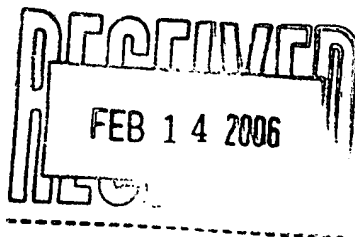


UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/539,764	FIRST NAMED APPLICANT Fysh Dadd	ATTY. DOCKET NO. COCH-0156-US1
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22506
 JAGTIANI + GUTTAG
 10363-A DEMOCRACY LANE
 FAIRFAX, VA 22030



INTERNATIONAL APPLICATION NO. PCT/AU03/01687	
I.A. FILING DATE 12/18/2003	PRIORITY DATE 12/19/2002

CONFIRMATION NO. 6613
 371 FORMALITIES LETTER

 OC000000017981544

Date Mailed: 02/09/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 06/20/2005
- Copy of the International Search Report filed on 06/20/2005
- Copy of IPE Report filed on 06/20/2005
- Preliminary Amendments filed on 06/20/2005
- Information Disclosure Statements filed on 06/20/2005
- Request for Immediate Examination filed on 06/20/2005
- U.S. Basic National Fees filed on 06/20/2005
- Priority Documents filed on 06/20/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$450 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$580** for a Large Entity:

- **\$130** Surcharge.
- Total additional claim fee(s) for this application is **\$ 450**
 - **\$400** for 2 independent claims over 3.
 - **\$50** for 12 total claims over 20.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

CHARITTA A BURT

Telephone: (703) 308-9140 EXT 207

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/539,764	PCT/AU03/01687	COCH-0156-US1